

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

PAUL S. KLEIN, ) 3:08-cv-00191-ECR-VPC  
Plaintiff, )  
vs. ) ORDER  
REID KIMOTO, et al., )  
Defendants. )  
\_\_\_\_\_ )

On February 25, 2011, Plaintiff filed a Motion (#272) for sanctions against Defendant Brill.

Plaintiff's Motion (#272) is denied.

The basis for the motion is the claim that Defendant Brill filed false evidence and committed perjury in the course of these proceedings. These claims relate to matters considered in detail by the Magistrate Judge in her Report and Recommendation (#252) and hearings she held in respect to the motion.

The present Motion (#272) seeks for Plaintiff essentially the same relief as the subject of the upcoming trial on Count 16. Defendants have conceded liability on the claims in Count 16 and therefore the only issue remaining for trial is the issue of damages.

It is inappropriate for the Court to order Defendant Brill to pay the costs of the Court for the hearing of November 17, 2010.

